

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
HUGO CRUZ, on behalf of himself and all others
similarly situated,

Plaintiff,

-against-

FXDirectDealer, LLC (FXDD),
Defendant.

-----X

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 2/29/12

11 CIVIL 1008 (PAC)

JUDGMENT

FXDD having moved to dismiss pursuant to Fed. R. Civ. P. 12(b)(6), and the matter having come before the Honorable Paul A. Crotty, United States District Judge, and the Court, on February 29, 2012, having rendered its Opinion and Order dismissing Count One of the Amended Complaint alleging a violation of the RICO statute with prejudice for failure to allege predicate acts and the existence of an enterprise, dismissing Counts Two and Three alleging violations of N.Y. Gen. Bus. Law §§ 349-350 with prejudice for lack of standing, dismissing Counts Four and Five alleging breach of contract and breach of the covenant of good faith and fair dealing with prejudice for failure to state a claim, denying Plaintiff's request for attorneys fees and costs, and directing the Clerk to enter judgment and terminate this case, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Opinion and Order dated February 29, 2012, Count One of the Amended Complaint alleging a violation of the RICO statute is dismissed with prejudice for failure to allege predicate acts and the existence of an enterprise; Counts Two and Three alleging violations of N.Y. Gen. Bus. Law §§ 349-350 are dismissed with prejudice for lack of standing; Counts Four and Five alleging breach of contract and breach of the covenant of good faith and fair dealing are dismissed with prejudice for

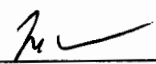
failure to state a claim; and Plaintiff's request for attorneys fees and costs is denied; accordingly,
the case is closed.

Dated: New York, New York
February 29, 2012

RUBY J. KRAJICK

Clerk of Court

BY:



Deputy Clerk

THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____